

# United States Court of Appeals for the Fifth Circuit

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No. 21-50949

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

STATE OF TEXAS,

*Defendant—Appellant,*

ERICK GRAHAM; JEFF TULEY; MISTIE SHARP,

*Intervenor Defendants—Appellants.*

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 1:21-CV-796

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Before STEWART, HAYNES, and HO, *Circuit Judges.*

PER CURIAM:

IT IS ORDERED that Intervenor's emergency motion to stay the preliminary injunction pending appeal is temporarily held in abeyance pending further order by this motions panel. Appellee is directed to respond to the emergency motion by 5 pm on Tuesday, October 12, 2021.

IT IS ORDERED that Intervenor's motion for a temporary administrative stay pending the court's consideration of the emergency motion is GRANTED.

# *United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

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600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

October 09, 2021

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 21-50949 USA v. State of Texas  
USDC No. 1:21-CV-796

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Mary C. Stewart, Deputy Clerk  
504-310-7694

Ms. Jeannette Clack  
Ms. Kyle T. Edwards  
Mr. Mark Reiling Freeman  
Ms. Heather Gebelin Hacker  
Ms. Sarah Elaine Harrington  
Amy Snow Hilton  
Ms. Beth Ellen Klusmann  
Mr. Jonathan F. Mitchell  
Mr. Brian David Netter  
Mr. Leif A. Olson  
Mr. James Ryan Powers  
Mr. Michael S. Raab  
Mr. Judd Edward Stone II  
Ms. Natalie Deyo Thompson  
Mr. William Thomas Thompson  
Mr. Benjamin Walton  
Mr. Daniel Winik